

United States District Court

BOSTON

DISTRICT OF MASSACHUSETTS

DOMINGO PEÑA
Plaintiff,
v.

APPLICATION TO PROCEED IN FORMA PAUPERIS, SUPPORTING DOCUMENTATION AND ORDER

UNITED STATES OF AMERICA
Defendant

CASE NUMBER:

04-40191

I, DOMINGO PEÑA, declare that I am the (check appropriate box)

☒ petitioner/plaintiff

☐ movant (filing 28 U.S.C. 2255 motion)

☐ respondent/defendant

☐ _____
other

in the above-entitled proceeding; that, in support of my request to proceed without being required to prepay fees, cost or give security therefor, I state that because of my poverty, I am unable to pay the costs of said proceeding or give security therefor; that I believe I am entitled to relief. The nature of my action, defense, or other proceeding or the issues I intend to present on appeal are briefly stated as follows:

In further support of this application, I answer the following questions.

1. Are you presently employed? Yes ☒ No ☐

a. If the answer is "yes," state the amount of your salary or wages per month, and give the name and address of your employer. (list both gross and net salary)

FMC DEVENS SALARY IS \$9.00 MONTHLY

b. If the answer is "no," state the date of last employment and the amount of the salary and wages per month which you received.

N/A

2. Have you received within the past twelve months any money from any of the following sources?

a. Business, profession or other form of self-employment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
b. Rent payments, interest or dividends?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
c. Pensions, annuities or life insurance payments?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
d. Gifts or inheritances?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
e. Any other sources?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

PEÑA

REPORT OF ACCOUNT BALANCE

Inmate Inquiry

Inmate Reg #: 42808083
 Inmate Name: PENA, DOMINGO
 Report Date: 09/07/2004
 Report Time: 1:33:06 PM
 Current Institution: Devens FMC
 Housing Unit: H UN11
 Living Quarters: H04-4031

[General Information](#) |
 [Account Balances](#) |
 [Commissary History](#) |
 [Commissary Restrictions](#) |
 [Comments](#)

General Information

Administrative Hold Indicator: No
 No Power of Attorney: No
 Never Waive NSF Fee: No
 Max Allowed Deduction %: 100
 PIN: 8009
 FRP Participation Status: Completed
 Arrived From:
 Transferred To:
 Account Creation Date: 2/4/2002
 Local Account Activation Date: 7/1/1991
 Sort Codes:
 Last Account Update: 9/5/2004 10:20:01 PM
 Account Status: Active
 ITS Balance: \$1.06

FRP Plan Information

FRP Plan Type	Expected Amount	Expected Rate

Account Balances

Account Balance:	\$5.08
Pre-Release Balance:	\$0.00
Debt Encumbrance:	\$0.00
SPO Encumbrance:	\$0.00
Other Encumbrances:	\$0.00
Outstanding Negotiable Instruments:	\$0.00
Administrative Hold Balance:	\$0.00
Available Balance:	\$5.08
National 6 Months Deposits:	\$190.52
National 6 Months Withdrawals:	\$195.55
National 6 Months Avg Daily Balance:	\$21.61
Local Max. Balance - Prev. 30 Days:	\$30.08
Average Balance - Prev. 30 Days:	\$16.46

Commissary History

Purchases

Validation Period Purchases: \$0.00
YTD Purchases: \$52.40
Last Sales Date: 5/21/2004 11:28:43 AM

SPO Information

SPO's this Month: 0
SPO \$ this Quarter: \$0.00

Spending Limit Info

Spending Limit Override: No
Weekly Revalidation: No
Spending Limit: \$290.00
Expended Spending Limit: \$0.00
Remaining Spending Limit: \$290.00

Commissary Restrictions

Spending Limit Restrictions

Restricted Spending Limit: \$0.00
Restricted Expended Amount: \$0.00
Restricted Remaining Spending Limit: \$0.00
Restriction Start Date: N/A
Restriction End Date: N/A

Item Restrictions

List Name	List Type	Start Date	End Date	Userid	Active
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Comments

Comments:

All Transactions



Inmate Reg #: 42808083
 Inmate Name: PENA, DOMINGO
 Report Date: 09/07/2004
 Report Time: 1:33:53 PM

Current Institution: Devens FMC
 Housing Unit: 11 UNIT
 Living Quarters: 1104-4031

Date/Time	User Id	Transaction Type	Amount	Ref#	Payment#	Balance
9/5/2004 10:20:01 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0905		\$5.08
8/29/2004 5:45:14 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0829		\$10.08
8/22/2004 12:45:57 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0822		\$15.08
8/15/2004 4:23:08 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0815		\$20.08
8/8/2004 12:22:39 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0808		\$25.08
8/7/2004 1:14:26 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0807		\$30.08
8/5/2004 7:07:54 AM	DEV2004	Payroll - IPP	\$10.08	4JV132		\$35.08
7/31/2004 9:42:13 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0731		\$25.00
7/25/2004 4:48:54 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0725		\$30.00
7/22/2004 5:47:25 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0722		\$35.00
7/18/2004 5:55:42 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0718		\$40.00
7/17/2004 3:27:09 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0717		\$45.00
7/14/2004 6:43:37 PM	AMService	ITS Withdrawal	(\$3.00)	ITS0714		\$50.00
7/11/2004 9:30:36 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0711		\$53.00
7/6/2004 8:56:57 AM	DEV2007	Payroll - IPP	\$10.08	4JV117		\$58.00
7/3/2004 7:48:42 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0703		\$47.92
7/3/2004 2:17:28 PM	AMService	ITS Withdrawal	(\$3.00)	ITS0703		\$52.92
7/2/2004 1:48:20 PM	DEV2007	Local Collections	\$20.00	17712		\$55.92
6/29/2004 4:44:17 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0629		\$35.92
6/27/2004 1:19:59 PM	AMService	ITS Withdrawal	(\$4.00)	ITS0627		\$40.92
6/26/2004 4:50:30 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0626		\$44.92
6/25/2004 10:43:58 PM	AMService	ITS Withdrawal	(\$1.00)	ITS0625		\$49.92
6/21/2004 8:42:21 PM	AMService	ITS Withdrawal	(\$3.00)	ITS0621		\$50.92
6/20/2004 6:17:27 PM	AMService	ITS Withdrawal	(\$2.00)	ITS0620		\$53.92
6/19/2004 1:01:45 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0619		\$55.92
6/15/2004 10:50:11 PM	AMService	ITS Withdrawal	(\$2.00)	ITS0615		\$60.92
6/14/2004 2:19:44 PM	DEV2004	Local Collections	\$45.00	16566		\$62.92
6/10/2004 11:00:01 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0610		\$17.92
6/7/2004 8:13:23 AM	DEV2007	Payroll - IPP	\$15.00	4JV102		\$22.92
6/3/2004 8:06:34 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0603		\$7.92
5/31/2004 7:44:39 PM	AMService	ITS Withdrawal	(\$1.00)	ITS0531		\$12.92
5/30/2004 2:34:14 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0530		\$13.92
5/30/2004 12:06:21 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0530		\$18.92
5/21/2004 11:28:43 AM	DEV3006	Sales	(\$6.90)	17		\$23.92
5/20/2004 7:38:30 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0520		\$30.82
5/20/2004 1:38:25 PM	DEV2007	Local Collections	\$30.00	15087		\$35.82
5/16/2004 11:48:15 AM	AMService	ITS Withdrawal	(\$5.00)	ITS0516		\$5.82
5/5/2004 11:29:10 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0505		\$10.82
5/5/2004 9:39:51 AM	DEV2007	Payroll - IPP	\$15.36	4JV082		\$15.82
4/25/2004 5:27:31 PM	AMService	ITS Withdrawal	(\$4.00)	ITS0425		\$0.46
4/18/2004 2:36:28 PM	AMService	ITS Withdrawal	(\$4.00)	ITS0418		\$4.46
4/11/2004 5:15:26 PM	AMService	ITS Withdrawal	(\$2.00)	ITS0411		\$8.46
4/7/2004 11:02:40 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0407		\$10.46
4/5/2004 9:17:13 AM	DEV2004	Payroll - IPP	\$15.00	4JV068		\$15.46
3/28/2004 8:32:28 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0328		\$0.46
3/21/2004 12:12:38 PM	AMService	ITS Withdrawal	(\$2.00)	ITS0321		\$5.46
3/18/2004 11:38:35 AM	DEV3007	Sales	(\$15.65)	20		\$7.46
3/15/2004 6:10:01 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0315		\$23.11
3/14/2004 5:38:25 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0314		\$28.11
3/13/2004 10:00:11 PM	AMService	ITS Withdrawal	(\$5.00)	ITS0313		\$33.11